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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SHRESTHA, BIJENDRA K

ART UNIT	PAPER NUMBER
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3691

DATE MAILED: 12/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/956,965

Applicant(s)

CHEN ET AL.

Examiner

Bijendra K. Shrestha

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 09/21/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 25. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because "one of the computer in the material supplier side in Fig. 4 is not labeled". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several

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views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "10" has been used to designate both "purchaser" and "purchase" (page 6, line 24). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: "material supplier 20" is repeated (page 5, line 7).

Appropriate correction is required.

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lidow (reference A in attached PTO-892) in view of Salvo et al. (reference B in attached PTO-892).

7. As per claim 1, Lidow teaches web trading method for lowering stocking costs for a purchaser to conduct trades of required materials with a materials supplier through a web trading system, which comprises the steps of:

generating forecast information containing materials forecast demands, which are computed according to product order information and current inventory information in a particular period of time and include forecasted material items, quantities and a demand timetable (see Fig. 1; Fig. 4; column 3, lines 21-30; column 5, 33-38, column 7, lines 34-54; where customer generate demand forecast for desired products to supply chain server 7 using a thirteen week forecast, week 0 daily callouts, and ad hoc requests) ;

sending a forecast order that contains the forecast information to the materials supplier through the Internet for the materials supplier to temporarily store the materials in a materials supplier's storage according to the forecast order (see Fig. 9; Fig. 24;

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column 3, lines 31-39; column 17, lines 8-14; where forecast order is send to material suppliers and checked whether the forecast can be fulfilled by the suppliers);

generating a materials acceptance message, which, after the materials supplier ships the materials, indicates whether the shipped materials are in accordance with the materials requested in the real-time demand order and accepted (see Fig. 16; column 22, lines 35-38; where automated inspection and acceptance of delivered product is generated at cross-dock point; error in the shipment are typically fixed at the cross-dock point 510);

making a payment to the materials supplier through the web trading system after the materials acceptance message indicates that the received materials are in accordance with the materials requested in the real-time demand order and accepted (see Figs. 17, 18; column 23, lines 43-49; column 24, lines 40-49); and

Lidow does not teach method of generating real-time demand information, which includes information about materials that are requested by assembly lines of the purchaser right before productions and have been included in the materials forecast demands; and sending a real-time demand order containing the real-time demand information to the materials supplier.

Salvo et al. teach method of generating real-time demand information, which includes information about materials that are requested by assembly lines of the purchaser right before productions and have been included in the materials forecast demands; and sending a real-time demand order containing the real-time demand information to the materials supplier (Salvo et al., Fig. 1; column 3, lines 41-61).

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Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to incorporate method of generating real-time demand information, which includes information about materials that are requested by assembly lines of the purchaser right before productions and have been included in the materials forecast demands; and sending a real-time demand order containing the real-time demand information to the materials supplier of Lidow because Salvo et al. teach that these incorporation would permit lowest cost purchasing, ordering and delivery of inventory (see column 2, lines 52-54).

8. As per claim 2, Lidow in view of Salvo et al. teach the claim 1 as described above.

Lidow further teaches the method wherein the forecast information is generated through MRP (Material Requirements Planning) (see Fig. 24; column 27, lines 20-24; column 28, lines 1-14; where supply chain server includes Enterprise Resource Planning (ERP) system 584 and planning support tool (Material Resource Planning (MRP)) 586; planning support tools allows supply chain server to manipulate forecast, demand and supply data).

9. As per claim 3, Lidow in view of Salvo et al. teach the claim 1 as described above.

Lidow further teaches the method comprising:

the step of sending the forecast order to the materials supplier by a postal order (see Fig. 2; column 11, lines 57-62; where supply chain server review customer order

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and passed on to the suppliers; Examiner interprets it includes postal order in addition to electronic transmission).

10. As per claim 4, Lidow in view of Salvo et al. teach the claim 1 as described above.

Lidow further teaches the method wherein the forecast order further contains a message asking the materials supplier to reply with a return receipt indicating that the materials supplier can provide the necessary materials supply and identity information of the materials supplier that replies the return receipt is recorded in the forecast order (see Figs. 6; column 3, lines 31-39; column 15, lines 7-13; where capacity of suppliers and demand of customers are resolved through notification by supply chain server to both the parties).

11. As per claim 5, Lidow in view of Salvo et al. teach the claim 1 as described above.

Lidow does not teach the method, wherein the step of generating a materials acceptance message further comprises the step of updating inventory information to add the verified and accepted materials information into the inventory information.

Salvo et al. teach the method, wherein the step of generating a materials acceptance message further comprises the step of updating inventory information to add the verified and accepted materials information into the inventory information (see Fig. 2; column 3, lines 8-22; where reading instantaneous reading of inventory amount information is provided).

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Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to incorporate the method, wherein the step of generating a materials acceptance message further comprises the step of updating inventory information to add the verified and accepted materials information into the inventory information of Lidow because Salvo et al. teach that these incorporation would enable to control unit to analyze inventory amount and price information, and use this information to determine if an inventory order should be placed (Salvo et al., column 3, lines 3-7).

12. As per claim 6, Lidow in view of Salvo et al. teach the claim 5 as described above.

Lidow in view of Salvo et al. further teach the method wherein the accepted materials information added into the inventory information includes material items and quantities (see Fig. 2; column 11, lines 27-37; where specific example of inventory for items (e.g., sugar, grain) is illustrated with current silo readings quantities in feet and lbs.).

13. As per claim 7, Lidow in view of Salvo et al. teach the claim 1 as described above.

Lidow further teaches the method wherein the step of generating a material acceptance message further comprises:

the step of updating the forecast information in the forecast order recorded by the purchaser to subtract off the accepted materials from the forecast information (see Fig. 9; column 8-17).

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14. As per claim 8, Lidow teaches a web trading method for lowering stocking costs for a purchaser to conduct trades of required materials with a materials supplier group consisting of several materials suppliers through a web trading system, which comprises the steps of:

generating forecast information containing materials forecast demands, which are computed according to product order information and current inventory information in a particular period of time and include forecasted material items, quantities and a demand timetable (see Fig. 1; Fig. 4; column 3, lines 21-30; column 5, 33-38, column 7, lines 34-54; where customer generate demand forecast for desired products to supply chain server 7 using a thirteen week forecast, week 0 daily callouts, and ad hoc requests);

posting a forecast order that contains the forecast information to the materials supplier group through the Internet for the materials supplier to temporarily store the materials in a materials supplier's storage according to the forecast order (see Fig. 9; Fig. 24; column 3, lines 31-39; column 17, lines 8-14; where forecast order is send to material suppliers and checked whether the forecast can be fulfilled by the suppliers);

generating a materials acceptance message, which, after the materials supplier ships the materials, indicates whether the shipped materials are in accordance with the materials requested in the real-time demand order and accepted (see Fig. 16; column 22, lines 35-38; where automated inspection and acceptance of delivered product is generated at cross-dock point; error in the shipment are typically fixed at the cross-dock point 510);

making a payment to the materials supplier through the web trading system after the materials acceptance message indicates that the received materials are in accordance with the materials requested in the real-time demand order and accepted (see Figs. 17, 18; column 23, lines 43-49; column 24, lines 40-49); and

Lidow does not teach method of generating real-time demand information, which includes information about materials that are requested by assembly lines of the purchaser right before productions and have been included in the materials forecast demands; and posting a real-time demand order containing the real-time demand information to the materials supplier group.

Salvo et al. teach method of generating real-time demand information, which includes information about materials that are requested by assembly lines of the purchaser right before productions and have been included in the materials forecast demands; and posting a real-time demand order containing the real-time demand information to the materials supplier group (Salvo et al., Fig. 1; column 3, lines 41-61).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to incorporate method of generating real-time demand information, which includes information about materials that are requested by assembly lines of the purchaser right before productions and have been included in the materials forecast demands; and posting a real-time demand order containing the real-time demand information to the materials supplier group of Lidow because Salvo et al. teach that these incorporation would permit lowest cost purchasing, ordering and delivery of inventory (see column 2, lines 52-54).

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15. As per claim 9, Lidow in view of Salvo et al. teach the claim 8 as described above.

Lidow further teaches the method wherein the forecast information is generated through MRP (Material Requirements Planning) (see Fig. 24; column 27, lines 20-24; column 28, lines 1-14; where supply chain server includes Enterprise Resource Planning (ERP) system 584 and planning support tool (Material Resource Planning (MRP)) 586; planning support tools allows supply chain server to manipulate forecast, demand and supply data).

16. As per claim 10, Lidow in view of Salvo et al. teach the claim 8 as described above.

Lidow further teaches the method wherein the step of sending the forecast order to the materials supplier by a postal order (see Fig. 2; column 11, lines 57-62; where supply chain server review customer order and passed on to the suppliers; Examiner interprets it includes postal order in addition to electronic transmission).

17. As per claim 11, Lidow in view of Salvo et al. teach the claim 8 as described above.

Lidow further teaches the method wherein the forecast order further contains a message asking the materials supplier to reply with a return receipt indicating that the materials supplier can provide the necessary materials supply and identity information of the materials supplier that replies the return receipt is recorded in the forecast order (see Figs. 6; column 3, lines 31-39; column 15, lines 7-13; where

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capacity of suppliers and demand of customers are resolved through notification by supply chain server to both the parties).

18. As per claim 12, Lidow in view of Salvo et al. teach the claim 8 as described above.

Lidow does not teach the method, wherein the step of generating a materials acceptance message further comprises the step of updating inventory information to add the verified and accepted materials information into the inventory information.

Salvo et al. teach the method, wherein the step of generating a materials acceptance message further comprises the step of updating inventory information to add the verified and accepted materials information into the inventory information (see Fig. 2; column 3, lines 8-22; where reading instantaneous reading of inventory amount information is provided).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to incorporate the method, wherein the step of generating a materials acceptance message further comprises the step of updating inventory information to add the verified and accepted materials information into the inventory information of Lidow because Salvo et al. teach that these incorporation would enable to control unit to analyze inventory amount and price information, and use this information to determine if an inventory order should be placed (Salvo et al., column 3, lines 3-7).

19. As per claim 13, Lidow in view of Salvo et al. teach the claim 12 as described above.

Lidow in view of Salvo et al. further teach the method wherein

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the accepted materials information added into the inventory information includes material items and quantities (see Fig. 2; column 11, lines 27-37; where specific example of inventory for items (e.g., sugar, grain) is illustrated with current silo readings quantities in feet and lbs.).

20. As per claim 14, Lidow in view of Salvo et al. teach the claim 8 as described above.

Lidow further teaches the method wherein the step of generating a material acceptance message further comprises:

the step of updating the forecast information in the forecast order recorded by the purchaser to subtract off the accepted materials from the forecast information (see Fig. 9; column 8-17).

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosures. The following are pertinent to current invention, though not relied upon:

Dragon et al. (U.S. Patent No. 6,625,616) teach method and apparatus for material requirement planning.

Griep et al. (U.S. Pub No. 2003/0014314) teach manufacturing flow control method and system.

Jenkins et al. (U.S. Pub No. 2002/0188499) teach system and method for ensuring order fulfillment.

Johnson et al. (U.S. Patent No. 5,712,989) teach just-in-time requisition and inventory management system.

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Johnson, Ronald M. (U.S. Pub No. 2001/0027418) teaches system and method for on-line, real-time inventory display, monitoring, and control.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571)270-1374. The examiner can normally be reached on Monday - Friday, 7:30 a.m - 5 p.m, 2nd Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Nolan can be reached on (571)270-1358. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BKS

Patrick J. Nolan
PATRICK J. NOLAN, PH.D.
SUPERVISORY PATENT EXAMINER

12/5/06